



MARYLAND

Department of Health

Larry Hogan, Governor • Boyd Rutherford, Lt. Governor • Robert R. Neall, Secretary

MARYLAND BOARD OF PHARMACY

4201 Patterson Avenue, Baltimore, Maryland 21215-2299

Mitra Gavvani, Board President • Deena Speights-Napata, Executive Director

January 19, 2018

CERTIFIED MAIL RETURN RECEIPT REQUESTED
ARTICLE #7016 0750 0001 0746 7773

Stacey Klug
303 Selwyn Drive
Frederick, MD 21702

Re: Registration No. T012095
Case No. PI-18-014
Notice of Recommended Civil Penalty

Dear Ms. Klug:

On July 19, 2017, an inspection of Sams Pharmacy #10-6652 (the "Pharmacy") was conducted by the Board of Pharmacy (the "Board") to see if the Pharmacy was in compliance with federal and state laws regarding the operation of a pharmacy. During that inspection, the inspector noted that your pharmacy technician registration expired on April 20, 2016, yet you were observed performing delegated pharmacy acts in the Pharmacy. The Board's records indicate that your registration was subsequently reinstated on July 24, 2017.

I. FINDINGS AND CONCLUSION

The Board finds that you worked as a pharmacy technician at Sams Pharmacy #10-6652 without a current and active registration between at least May 1, 2017 and July 19, 2017.

A pharmacy technician must be duly registered with the Board, or otherwise statutorily authorized, in order to perform delegated pharmacy acts. Working as a pharmacy technician without a registration is in violation of the Maryland Pharmacy Act, Health Occ. Art. § 12-6B-01.

II. RECOMMENDED CIVIL MONETARY PENALTY

Under the Maryland Pharmacy Act, Health Occupations Article § 12-707(e), the Board of Pharmacy has the authority to impose a civil penalty of up to \$50,000 for working as an unregistered pharmacy technician.

Based upon the facts set forth in Section I above, and COMAR 10.34.11.09, the Board hereby recommends the imposition of a **civil monetary penalty of \$250.00.**

III. OPPORTUNITY FOR HEARING

If you dispute the findings, conclusions or the civil monetary penalty, you may request an evidentiary hearing on the Board's decision in this matter. In the event that you request an evidentiary hearing, the Board shall initiate formal proceedings which will include the opportunity for a full evidentiary hearing. The hearing will be held in accordance with the Administrative Procedure Act, Md. Code Ann. State Gov't § 10-201 *et seq.*, and COMAR 10.34.01. Any request for a hearing must be submitted in writing to Lisa Sanderoff, R.Ph., Investigator Supervisor, Maryland Board of Pharmacy, 4201 Patterson Ave., 5th Floor, Baltimore, Maryland 21215, **no later than thirty (30) days of the date of this Notice.**

Please be advised that at the hearing you would have the following rights: to be represented by counsel, to subpoena witnesses, to call witnesses on your own behalf, to present evidence, to cross-examine witnesses, to testify, and to present summation and argument. Should the Board find you guilty of the violations cited in the Reports, the Board may impose a civil penalty against you not to exceed \$50,000. If you request a hearing but fail to appear, the Board may nevertheless hear and determine the matter in your absence.

IV. OPTION TO PAY RECOMMENDED MONETARY PENALTY

Alternatively, you may pay the recommended civil monetary penalty **within thirty (30) days** of the date of this Notice, in the form of a certified check or money order made payable to the Maryland Board of Pharmacy.

Please mail the check or money order to:

Maryland Board of Pharmacy
P.O. Box 2051
Baltimore, MD 21203-2051

NOTE: Please include the case number, PI-18-014, on your check or money order to insure proper assignment to your case.

Upon your payment of the civil monetary penalty, this Notice will constitute the Board's final action with respect to this matter, and shall be a public order in accordance with the Maryland Public Information Act, Gen. Provisions, Sec. 4-333, and published on the Board's website in accordance with Health Occ., Sec. 1-607.

If you have any questions concerning the instructions contained in this letter, please contact Lisa Sanderoff, R.Ph., Investigator Supervisor, at 410-764-3768.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Deena', is written over the printed name.

Deena Speights-Napata
Executive Director

cc: Linda Bethman, Board Counsel